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OFFERYNNAU STATUDOL CYMRU

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**2013 No. 1788**

**Rheoliadau Credyd Cynhwysol (Darpariaethau Canlyniadol)  
(Gofal Plant, Tai a Thrafnidiaeth) (Cymru) 2013**

**RHAN 1**

**DEDDFWRIAETH SYLFAENOL**

**Diwygio Deddf Tai 2004**

**3.—**(1) Mae Deddf Tai 2004(1) wedi ei diwygio fel a ganlyn.

(2) Yn adran 73 (canlyniadau eraill rhedeg HMOs sydd heb eu trwyddedu: gorchmynion adalu rhent)—

(a) yn is-adran (5), cyn “housing benefit” mewnosoder “relevant award or awards of universal credit or the”;

(b) yn is-adran (6), yn lle paragraff (b) rhodder—

“(b) that—

(i) one or more relevant awards of universal credit have been paid (to any person); or

(ii) housing benefit has been paid (to any person) in respect of periodical payments payable in connection with the occupation of a part or parts of the HMO,

during any period during which it appears to the tribunal that such an offence was being committed.”;

(c) ar ôl is-adran (6), mewnosoder—

“(6A) In subsection (6)(b)(i), “relevant award of universal credit” means an award of universal credit the calculation of which included an amount under section 11 of the Welfare Reform Act 2012, calculated in accordance with Schedule 4 to the Universal Credit Regulations 2013 (housing costs element for renters) (S.I. 2013/376) or any corresponding provision replacing that Schedule, in respect of periodical payments payable in connection with the occupation of a part or parts of the HMO.”;

(d) yn is-adran (8)(a), yn lle'r geiriau o “housing benefit” i'r diwedd rhodder—

“(i) one or more relevant awards of universal credit; or

(ii) housing benefit paid in connection with occupation of a part or parts of the HMO.”;

(e) yn is-adran (10)—

(i) yn y diffiniad o “the appropriate person”, cyn “housing benefit” mewnosoder “universal credit or”;

- (ii) yn lle'r diffiniad o “periodical payments” rhodder—
- ““periodical payments” means—
- (a) payments in respect of which an amount under section 11 of the Welfare Reform Act 2012 may be included in the calculation of an award of universal credit, as referred to in paragraph 3 of Schedule 4 to the Universal Credit Regulations 2013 (“relevant payments”) (S.I. 2013/376) or any corresponding provision replacing that paragraph; and
- (b) periodical payments in respect of which housing benefit may be paid by virtue of regulation 12 of the Housing Benefit Regulations 2006 or any corresponding provision replacing that regulation;”;
- (f) yn is-adran (11)(b), cyn “housing benefit” mewnosoder “universal credit or”.
- (3) Yn adran 74 (darpariaethau pellach am orchmynon ad-dalu rhent)—
- (a) yn is-adran (2)—
- (i) yn lle paragraff (b) rhodder—
- “(b) that—
- (i) one or more relevant awards of universal credit (as defined in section 73(6A)) were paid (whether or not to the appropriate person), or
- (ii) housing benefit was paid (whether or not to the appropriate person) in respect of periodical payments payable in connection with occupation of a part or parts of the HMO,
- during any period during which it appears to the tribunal that such an offence was being committed in relation to the HMO in question;”;
- (ii) yn y geiriau i gloi, yn lle “an amount equal to the total amount of housing benefit paid as mentioned in paragraph (b)” rhodder “the amount mentioned in subsection (2A)”;
- (b) ar ôl is-adran (2) mewnosoder—
- “(2A) The amount referred to in subsection (2) is—
- (a) an amount equal to—
- (i) where one relevant award of universal credit was paid as mentioned in subsection (2)(b)(i), the amount included in the calculation of that award under section 11 of the Welfare Reform Act 2012, calculated in accordance with Schedule 4 to the Universal Credit Regulations 2013 (housing costs element for renters) (S.I. 2013/376) or any corresponding provision replacing that Schedule, or the amount of the award if less; or
- (ii) if more than one such award was paid as mentioned in subsection (2)(b)(i), the sum of the amounts included in the calculation of those awards as referred to in sub-paragraph (i), or the sum of the amounts of those awards if less, or
- (b) an amount equal to the total amount of housing benefit paid as mentioned in subsection (2)(b)(ii),
- (as the case may be).”
- (c) yn is-adran (3), yn lle “total amount of housing benefit paid as mentioned in that paragraph” rhodder “amount mentioned in subsection (2A)”;
- (d) yn is-adran (6)(b)(i), ar ôl “payments of” mewnosoder “relevant awards of universal credit or”;

- (e) yn is-adran (7)—
- (i) ym mharagraff (a), cyn “housing benefit” mewnosoder “relevant awards of universal credit,”; a
  - (ii) ym mharagraff (b), yn lle'r geiriau o “any amount” i'r diwedd rhodder—
    - “(i) where one or more relevant awards of universal credit were payable during the period in question, the amount mentioned in subsection (2A)(a) in respect of the award or awards that related to the occupation of the part of the HMO occupied by him during that period; or
    - (ii) any amount of housing benefit payable in respect of the occupation of the part of the HMO occupied by him during the period in question”; a
- (f) yn is-adrannau (9)(a) a (15)(a), cyn “housing benefit” mewnosoder “universal credit or”.
- (4) Yn adran 96 (canlyniadau eraill rhedeg tai sydd heb eu trwyddedu: gorchmynion ad-dalu rhent)—
- (a) yn is-adran (5), cyn “housing benefit” mewnosoder “relevant award or awards of universal credit or the”;
  - (b) yn is-adran (6), yn lle paragraff (b) rhodder—
    - “(b) that—
      - (i) one or more relevant awards of universal credit have been paid (to any person); or
      - (ii) housing benefit has been paid (to any person) in respect of periodical payments payable in connection with the occupation of the whole or any part or parts of the house,during any period during which it appears to the tribunal that such an offence was being committed,”;
- (c) ar ôl is-adran (6), mewnosoder—
  - “(6A) In subsection (6)(b)(i), “relevant award of universal credit” means an award of universal credit the calculation of which included an amount under section 11 of the Welfare Reform Act 2012, calculated in accordance with Schedule 4 to the Universal Credit Regulations 2013 (housing costs element for renters) (S.I. 2013/376) or any corresponding provision replacing that Schedule, in respect of periodical payments payable in connection with the occupation of the whole or any part or parts of the house.”;
- (d) yn is-adran (8)(a), yn lle'r geiriau o “housing benefit” i'r diwedd rhodder—
  - “(i) one or more relevant awards of universal credit, or
  - (ii) housing benefit paid in connection with occupation of the whole or any part or parts of the house”;
- (e) yn is-adran (10)—
  - (i) yn y diffiniad o “the appropriate person”, cyn “housing benefit” mewnosoder “universal credit or”;
  - (ii) yn lle'r diffiniad o “periodical payments” rhodder—
    - ““periodical payments” means—
      - (a) payments in respect of which an amount under section 11 of the Welfare Reform Act 2012 may be included in the calculation of an award of universal credit, as referred to in paragraph 3 of Schedule 4 to the Universal Credit Regulations 2013 (“relevant payments”) (S.I. 2013/376) or any corresponding provision replacing that paragraph; and

- (b) periodical payments in respect of which housing benefit may be paid by virtue of regulation 12 of the Housing Benefit Regulations 2006 or any corresponding provision replacing that regulation;”; ac
- (f) yn is-adran (11)(b), cyn “housing benefit” mewnosoder “universal credit or”.
- (5) Yn adran 97 (darpariaethau pellach am orchmynton ad-dalu rhent)—
- (a) yn is-adran (2)—
- (i) yn lle paragraff (b) rhodder—
- “(b) that—
- (i) one or more relevant awards of universal credit (as defined in section 96(6A)) were paid (whether or not to the appropriate person); or
- (ii) housing benefit was paid (whether or not to the appropriate person) in respect of periodical payments payable in connection with occupation of the whole or any part or parts of the house, during any period during which it appears to the tribunal that such an offence was being committed in relation to the house;”; a
- (ii) yn y geiriau i gloi, yn lle “an amount equal to the total amount of housing benefit paid as mentioned in paragraph (b)” rhodder “the amount mentioned in subsection (2A)”;
- (b) ar ôl is-adran (2) mewnosoder—
- “(2A) The amount referred to in subsection (2) is—
- (a) an amount equal to—
- (i) where one relevant award of universal credit was paid as mentioned in subsection (2)(b)(i), the amount included in the calculation of that award under section 11 of the Welfare Reform Act 2012, calculated in accordance with Schedule 4 to the Universal Credit Regulations 2013 (housing costs element for renters) (S.I. 2013/376) or any corresponding provision replacing that Schedule, or the amount of the award if less; or
- (ii) if more than one such award was paid as mentioned in subsection (2)(b)(i), the sum of the amounts included in the calculation of those awards as referred to in sub-paragraph (i), or the sum of the amounts of those awards if less, or
- (b) an amount equal to the total amount of housing benefit paid as mentioned in subsection (2)(b)(ii),
- (as the case may be).”;
- (c) yn is-adran (3), yn lle “total amount of housing benefit paid as mentioned in that paragraph” rhodder “amount mentioned in subsection (2A)”;
- (d) yn is-adran (6)(b)(i), ar ôl “payments of” mewnosoder “relevant awards of universal credit or”;
- (e) yn is-adran (7)—
- (i) ym mharagraff (a), cyn “housing benefit” mewnosoder “relevant awards of universal credit;”; a
- (ii) ym mharagraff (b), yn lle'r geiriau o “any amount” i'r diwedd rhodder—
- “(i) where one or more relevant awards of universal credit were payable during the period in question, the amount mentioned in subsection (2A)(a) in

- respect of the award or awards that related to the occupation of the part of the HMO occupied by him during that period; or
- (ii) any amount of housing benefit payable in respect of the occupation of the part of the HMO occupied by him during the period in question”; ac
- (f) yn is-adrannau (9)(a) a (15)(a), cyn “housing benefit” mewnosoder “universal credit or”.